

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

|                         |   |                               |
|-------------------------|---|-------------------------------|
| MARY TRIGIANI,          | ) |                               |
|                         | ) |                               |
| Plaintiff(s),           | ) | No. C02-4522 BZ               |
|                         | ) |                               |
| v.                      | ) | <b>ORDER ON PLAINTIFF'S</b>   |
|                         | ) | <b>REQUEST FOR ATTORNEY'S</b> |
| THE PADDED WAGON, INC., | ) | <b>FEES AND COSTS</b>         |
|                         | ) |                               |
| Defendant(s).           | ) |                               |

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On February 8, 2005, I issued an order requiring the judgment debtor, The Padded Wagon, Inc., to appear before this Court on March 22, 2005, for examination. The judgment debtor failed to appear, and I issued an order to show cause, to which the judgment debtor responded in writing. On April 26, 2005, Edmond Dowling appeared on behalf of the judgment debtor for examination. On May 25, 2005, a hearing was held on the order to show cause.

Following the hearing, plaintiff submitted a declaration requesting attorney's fees and costs for time spent in connection with the March 22, 2005, judgment debtor examination and the order to show cause, which the

1 judgment debtor opposed. See Decl. of Dean M. Schmidt Re:  
2 Costs Related to Examination of Debtor/Order to Show Cause  
3 ("Schmidt Decl."). Having reviewed the declaration and  
4 opposition, I find that of the amounts claimed, Plaintiff  
5 is entitled to \$1,100 in attorney's fees for time spent  
6 attending the March 22, 2005, judgment debtor examination;  
7 preparing for and filing an opposition to the judgment  
8 debtor's response to the order to show cause; and attending  
9 the May 25, 2005, hearing. The other amounts claimed were  
10 not established to have been duplicative or wasteful  
11 because an examination eventually occurred on April 26,  
12 2005. **IT IS THEREFORE ORDERED** that plaintiff's request for  
13 attorney's fees and costs is granted in part and denied in  
14 part. Plaintiff is awarded a total of \$1,100.00 in  
15 attorney's fees, which shall be included in the judgment.  
16 The order to show cause is otherwise discharged.

17 Dated: June 2, 2005

18 /s/ Bernard Zimmerman  
19 Bernard Zimmerman  
United States Magistrate Judge

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